



**Thomas G. Bruton**  
CLERK

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
219 SOUTH DEARBORN STREET  
CHICAGO, ILLINOIS 60604**

312-436-5670

Date: April 8, 2016

Mr. Gino J. Agnello, Clerk  
U.S. Court of Appeals-Seventh Circuit  
219 South Dearborn Street-Room 2722  
Chicago, Illinois 60604

Re: Lewis v. BNSF Rail Way Company

U.S.D.C. Docket No.: [1:14cv7173]  
U.S.C.A. Docket No.: [16-1444]

Dear Mr. Agnello:

Please find attached the original record on appeal consisting of the following:

ELECTRONIC VOLUME(S) OF PLEADING(S):	[1 Flash Drive]
ELECTRONIC VOLUME(S) OF TRANSCRIPT(S):	[1 same Flash Drive]
VOLUME(S) OF PLEADING(S):	[8 Number of Vol Pleadings]
VOLUME(S) OF TRANSCRIPT(S):	[2 Number of Vol Transcripts]
VOLUME(S) OF DEPOSITION(S):	[Number of Vol Depositions]
EXHIBITS:	[Exhibits]
VAULT ITEMS:	[Vault Items]
OTHER (SPECIFY):	[Other Items]
SPECIAL NOTE:	[Special Note]

Please acknowledge date of receipt of the above mentioned materials on the attached copy of this letter.

Sincerely yours,

Thomas G. Bruton, Clerk

By: /s/\_Esperanza King, Deputy Clerk

United States of America                                 }  
   }  
Northern District of Illinois                                 }  
Eastern Division   }

I, Thomas G. Bruton, Clerk of the United States District Court for the Northern District of Illinois, do hereby certify to the United States Court of Appeals, for the Seventh Circuit, that the documents submitted herewith and annexed hereto are the original papers filed and entered of record in my office, on the dates in the List of Documents, and together with a true copy of docket entries as they appear in the official dockets in this office, consisting of:

8 volumes of pleadings  
2 volumes of transcripts

**In the cause entitled: Lewis v. BNSF Rail Way Company**

USDC NO.: 1:14cv7173  
USCA NO.: 16-1444

IN TESTIMONY WHEREOF, I hereunto subscribed my name and affixed the seal of the aforesaid Court at Chicago, Illinois, this 8<sup>th</sup> day of April, 2016.

THOMAS G. BRUTON, CLERK

By: /s/Esperanza King, Deputy Clerk

A TRUE COPY-ATTEST  
THOMAS G. BRUTON, CLERK

By: s/ ESPERANZA KING  
DEPUTY CLERK  
U.S. DISTRICT COURT, NORTHERN  
DISTRICT OF ILLINOIS

April 8, 2016

**United States District Court  
Northern District of Illinois - CM/ECF LIVE, Ver 6,1 (Chicago)  
CIVIL DOCKET FOR CASE #: 1:14-cv-07173  
Internal Use Only**

Lewis v. BNSF Rail Way Company  
Assigned to: Honorable John Z. Lee  
Demand: \$75,000

Case in other court:

16-01444

Date Filed: 09/15/2014  
Date Terminated: 08/17/2015  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Diversity

Cause: 28:1332 Diversity-Breach of Fiduciary Duty

**Plaintiff**

**Simeon Lewis**

*estate of*

Simeon Washa Amen Ra Ex

represented by **Simeon Lewis**  
P.O. Box 199273  
Chicago, IL 60619  
(773) 648-1317  
Email: thechief1970@hotmail.com  
PRO SE

**Alia Miriam Horwick**  
Reyes Kurson  
600 W Van Buren  
Suite 909  
Chicago, IL 60607  
(312) 332-0055  
Fax: 3123320419  
Email: ahorwick@rkchicago.com

V.

**Defendant**

**BNSF Rail Way Company**  
*C.E.O. Matthew K. Rose*

represented by **Maisha N. Shaw**  
Daley Mohan Groble PC  
55 West Monroe

Suite 1600  
Chicago, IL 60603  
(312) 422-9999  
Fax: (312) 422-5370  
Email: mshaw@daleymohan.com  
*TERMINATED: 12/18/2014*  
*LEAD ATTORNEY*

**Raymond Hugo Groble , III**  
Daley Mohan Groble P.C.  
55 W. Monroe  
Suite 1600  
Chicago, IL 60603  
(312) 422-9999  
Fax: (312) 201-9368  
Email: groble@daleymohan.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Cherie K. Getchell**  
Daley Mohan Groble  
55 W. Monroe Street  
Suite 1600  
Chicago, IL 60603  
(312) 422-6522  
Fax: 312-341-9656  
Email: CGetchell@daleymohan.com  
*TERMINATED: 01/30/2015*

**Heather Renee Adams**  
Daley Mohan Groble P.C.  
55 West Monroe  
Suite 1600  
Chicago, IL 60603  
(312) 422-6522  
Email: hadams@daleymohan.com  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
09/15/2014	<a href="#"><u>1</u></a>	COMPLAINT and opening statement filed by Simeon Lewis; Jury Demand. (tlm) (Entered: 09/15/2014)

09/15/2014	<a href="#">2</a>	EXHIBITS by Plaintiff Simeon Lewis regarding complaint <a href="#">1</a> . (tlm) (Modified on 12/29/2014) (tlm, ). (Entered: 09/15/2014)
09/15/2014	<a href="#">3</a>	CIVIL Cover Sheet. (tlm) (Entered: 09/15/2014)
09/15/2014	<a href="#">4</a>	<del>ENTRY of Appearance by Simeon Lewis. (tlm) (Entered: 09/15/2014)</del>
09/15/2014	<a href="#">5</a>	<del>(Court only) RECEIPT regarding payment of filing fee paid on 9/15/2014 in the amount of \$400.00, receipt number 4624126879. (tlm) (Entered: 09/15/2014)</del>
09/15/2014	<a href="#">6</a>	EMERGENCY MOTION by Plaintiff Simeon Lewis for preliminary injunction (Exhibit). (tlm) (Entered: 09/16/2014)
09/15/2014	<a href="#">18</a>	<del>PRO SE Appearance by Plaintiff Simeon Lewis, aka, Simeon W. Amen Ra. (tlm) (Entered: 10/10/2014)</del>
09/16/2014	<a href="#">7</a>	MINUTE entry before the Honorable John Z. Lee: The Court has received Plaintiff's Emergency Preliminary Injunction <a href="#">6</a> . Upon review of the motion, the Court finds that a delay in hearing the motion would not cause serious harm to one or more of the parties and therefore proceeding on an emergency basis is not warranted. Any motion filed as an "emergency" must state the reasons why it is being filed on an emergency basis without complying with the 3-day notice requirement. Plaintiff's lawsuit and motion concern his employers allegedly illegal paycheck withholdings, causing Plaintiff financial hardship, missed child support and loan payments, and foreclosure. But according to Plaintiff, these withholdings have been ongoing for at least several years, belying any exigency. The cited harms, while troubling, do not rise to the level of seriousness which necessitates proceeding on an emergency basis. Absent exigent circumstances, parties are entitled to 3-days notice of motions so that they can arrange to appear at the motions presentation and provide a response. Plaintiff is directed to notice the motion for hearing in accordance with the local rules and the Court's standing orders on Motion Practice, available on the Court's homepage. Plaintiff is instructed to serve Defendant with a copy of the Complaint and the Emergency Preliminary Injunction at least 48 hours before the motion hearing. Mailed notice (ca, ) (Entered: 09/16/2014)
09/22/2014	<a href="#">8</a>	MOTION by Plaintiff Simeon Lewis for Injunction. (tlm) (Entered: 09/25/2014)
09/22/2014	<a href="#">9</a>	<del>NOTICE of Motion by Simeon Lewis for presentment of motion for preliminary injunction <a href="#">6</a> , <a href="#">8</a> before Honorable John Z. Lee on 9/30/2014 at 9:00 AM. (tlm) (Entered: 09/25/2014)</del>
09/29/2014	<a href="#">10</a>	<del>ATTORNEY Appearance for Defendant BNSF Rail Way Company by Maisha N. Shaw (Shaw, Maisha) (Entered: 09/29/2014)</del>
09/29/2014	<a href="#">11</a>	MINUTE entry before the Honorable John Z. Lee: Plaintiff's motion for preliminary injunction <a href="#">6</a> and <a href="#">8</a> are referred to Magistrate Judge Finnegan

		for a report and recommendation. No appearance is required on 9/30/14.Mailed notice (ca, ) (Entered: 09/29/2014)
09/29/2014	<a href="#">12</a>	Pursuant to Local Rule 72.1, this case is hereby referred to the calendar of Honorable Sheila M. Finnegan for the purpose of holding proceedings related to: Plaintiff's motion for preliminary injunction <a href="#">6</a> <a href="#">8</a> for a report and recommendation. (ca, ). Mailed notice. (Entered: 09/29/2014)
09/29/2014	<a href="#">13</a>	MINUTE entry before the Honorable Sheila Finnegan: Motion Hearing set for 10/1/2014 at 8:45 a.m. as to Plaintiff's motion for preliminary injunction <a href="#">6</a> , <a href="#">8</a> . Mailed notice. (is, ) (Entered: 09/29/2014)
10/01/2014	<a href="#">14</a>	MINUTE entry before the Honorable Sheila Finnegan: Motion hearing held on 10/1/2014. After hearing oral argument, the court entered the parties' requested briefing schedule. Defendant's response to plaintiff's motion for preliminary injunction <a href="#">6</a> , <a href="#">8</a> due by 10/22/2014. Plaintiff's reply due by 11/5/2014. After reviewing the briefs, the Court will decide whether another hearing is necessary before issuing a report and recommendation to Judge Lee. Mailed notice. (is, ) (Entered: 10/01/2014)
10/08/2014	<a href="#">15</a>	MOTION by Defendant BNSF Rail Way Company for extension of time to file answer (Shaw, Maisha) (Entered: 10/08/2014)
10/08/2014	<a href="#">16</a>	<del>NOTICE of Motion by Maisha N. Shaw for presentment of motion for extension of time to file answer <a href="#">15</a> before Honorable John Z. Lee on 10/16/2014 at 09:00 AM. (Shaw, Maisha) (Entered: 10/08/2014)</del>
10/09/2014	<a href="#">17</a>	MINUTE entry before the Honorable John Z. Lee:Defendant's motion for extension of time to answer or otherwise plead <a href="#">15</a> is granted. Defendant's answer or responsive pleading is due by 11/11/14. No appearance is required on the motion.Mailed notice (ca, ) (Entered: 10/09/2014)
10/22/2014	<a href="#">19</a>	MINUTE entry before the Honorable Sheila Finnegan: The time for defendant to file a response to plaintiff's motion for preliminary injunction <a href="#">6</a> , <a href="#">8</a> is extended to 10/23/2014. Mailed notice. (is, ) (Entered: 10/22/2014)
10/23/2014	<a href="#">20</a>	RESPONSE by BNSF Rail Way Companyin Opposition to MOTION by Plaintiff Simeon Lewis for order <a href="#">8</a> , MOTION by Plaintiff Simeon Lewis for preliminary injunction <a href="#">6</a> (Attachments: # <a href="#">1</a> Affidavit, # <a href="#">2</a> Exhibit Ex. A to the Affidavit, # <a href="#">3</a> Exhibit Ex. B to the Affidavit, # <a href="#">4</a> Exhibit Ex. C to the Affidavit, # <a href="#">5</a> Exhibit Ex. D to the Affidavit, # <a href="#">6</a> Exhibit Ex. E to the Affidavit, # <a href="#">7</a> Exhibit Ex. F to the Affidavit, # <a href="#">8</a> Exhibit Ex. G to the Affidavit, # <a href="#">9</a> Exhibit Ex. H to the Affidavit, # <a href="#">10</a> Exhibit Ex. I to the Affidavit, # <a href="#">11</a> Exhibit Ex. J to the Affidavit, # <a href="#">12</a> Exhibit Ex. K to the Affidavit, # <a href="#">13</a> Exhibit Ex. L to the Affidavit)(Shaw, Maisha) (Entered: 10/23/2014)
10/23/2014	<a href="#">21</a>	NOTICE by BNSF Rail Way Company re response in opposition to motion,, <a href="#">20</a> (Shaw, Maisha) (Entered: 10/23/2014)

11/05/2014	<a href="#"><u>22</u></a>	REPLY by Plaintiff Simeon Lewis to Defendant's response to Plaintiff's motion for injunction (Exhibits). <a href="#"><u>20</u></a> (tlm) Docket text modified on 11/6/2014 by Clerk's Office. (tlm). (Entered: 11/06/2014)
11/10/2014	<a href="#"><u>23</u></a>	MOTION by Defendant BNSF Rail Way Company for extension of time to file answer (Shaw, Maisha) (sj, ). (Entered: 11/10/2014)
11/10/2014	<a href="#"><u>24</u></a>	<del>NOTICE of Motion by Maisha N. Shaw for presentment of motion for extension of time to file answer <a href="#"><u>23</u></a> before Honorable John Z. Lee on 11/18/2014 at 09:00 AM. (Shaw, Maisha) (Entered: 11/10/2014)</del>
11/10/2014	<a href="#"><u>25</u></a>	MINUTE entry before the Honorable John Z. Lee: Defendant's motion for an extension of time to answer or otherwise plead <a href="#"><u>23</u></a> is granted. Defendant's answer or responsive pleading is due by 11/14/14. No appearance is required on the motion.Mailed notice (ca, ) (Entered: 11/10/2014)
11/14/2014	<a href="#"><u>26</u></a>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, MOTION by Defendant BNSF Rail Way Company to dismiss for lack of jurisdiction (Shaw, Maisha) (Entered: 11/14/2014)
11/14/2014	<a href="#"><u>27</u></a>	<del>NOTICE of Motion by Maisha N. Shaw for presentment of Motion to Dismiss for Failure to State a Claim, motion to dismiss/lack of jurisdiction <a href="#"><u>26</u></a> before Honorable John Z. Lee on 11/20/2014 at 09:00 AM. (Shaw, Maisha) (Entered: 11/14/2014)</del>
11/19/2014	<a href="#"><u>28</u></a>	MINUTE entry before the Honorable John Z. Lee: In light of the pending motion for preliminary injunction before Judge Finnegan, Defendant's motion to dismiss also is referred to Judge Finnegan for a report and recommendation. No appearance is required on 11/20/14. Mailed notice (ca, ) (Entered: 11/19/2014)
11/19/2014	<a href="#"><u>29</u></a>	Pursuant to Local Rule 72.1, this case is hereby referred to the calendar of Honorable Sheila M. Finnegan for the purpose of holding proceedings related to: Issue a report and recommendation on Defendants' motion to dismiss <a href="#"><u>26</u></a> .(ca, )Mailed notice. (Entered: 11/19/2014)
11/26/2014	<a href="#"><u>30</u></a>	MINUTE entry before the Honorable Sheila M. Finnegan: The Court has reviewed the parties' memoranda regarding Plaintiff's pending motions for injunctive relief ( <a href="#"><u>6</u></a> , <a href="#"><u>8</u></a> ) and is considering whether the district court has subject matter jurisdiction to grant the requested relief. To this end, Defendants are requested to provide the Court with copies of the orders and judgments entered in case number 2007D080461 of the Illinois Circuit Court of Cook County, County Department, Domestic Relations Division, as well as filings in that case from 2014. The supplemental filing is due by 12/10/2014. Mailed notice (ber, ) (Entered: 11/26/2014)
11/26/2014	<a href="#"><u>31</u></a>	MINUTE entry before the Honorable Sheila M. Finnegan: The district court has requested Magistrate Judge Finnegan to issue a report and recommendation on Defendant's motion to dismiss <a href="#"><u>26</u></a> filed on 11/14/2014.

		Plaintiff's response to the motion is due by 12/23/2014. Defendant's reply is due by 1/6/2015. Mailed notice (ber, ) (Entered: 11/26/2014)
12/03/2014	<a href="#">32</a>	OBJECTION by plaintiff to proceedings (sj, ) (Entered: 12/05/2014)
12/05/2014	<a href="#">33</a>	ORDER Signed by the Honorable Sheila Finnegan on 12/5/2014: Plaintiff has filed an Objection to the proceedings <a href="#">32</a> . He complains first that, after the parties were contacted by Magistrate Judge Finnegan's law clerk in an effort to schedule a hearing to address a "clarification question" of the judge, the judge elected not to hold that hearing. Plaintiff states in his Objection that he would have been able to address the Judge's question had a hearing been held. This objection is overruled. [For further details see order.] Mailed notice. (is, ) (Entered: 12/05/2014)
12/09/2014	<a href="#">34</a>	<del>ATTORNEY Appearance for Defendant BNSF Rail Way Company by Cherie K. Getchell (Getchell, Cherie)</del> (Entered: 12/09/2014)
12/10/2014	<a href="#">35</a>	EXHIBIT by Defendant BNSF Rail Way Company regarding order,, <a href="#">33</a> , response in opposition to motion,, <a href="#">20</a> (Attachments: # <a href="#">1</a> Circuit Court Doc., # <a href="#">2</a> Healthcare and Family Services Doc.)(Shaw, Maisha) (Entered: 12/10/2014)
12/12/2014	<a href="#">36</a>	REPORT AND RECOMMENDATION regarding Plaintiff's Emergency Preliminary injunction motion <a href="#">6</a> , and Injunction motion <a href="#">8</a> Signed by the Honorable Sheila Finnegan on 12/12/2014: Pursuant to Fed. R. Civ. P. 72(b)(2), specific written objections to this Report and Recommendation may be served and filed within fourteen (14) days from the date that this order is served. Failure to file objections with the Honorable John Z. Lee within the specified time will result in a waiver of the right to appeal all findings, factual and legal, made by this Court in the Report and Recommendation. Objections to R&R due by 12/26/2014. [For further details see report and recommendation]. Mailed notice. (is, ) (Entered: 12/12/2014)
12/16/2014	<a href="#">37</a>	<del>ATTORNEY Appearance for Defendant BNSF Rail Way Company by Raymond Hugo Groble, III (Groble, Raymond)</del> (Entered: 12/16/2014)
12/17/2014	<a href="#">38</a>	MOTION by counsel for Defendant BNSF Rail Way Company to withdraw as attorney (Shaw, Maisha) (Entered: 12/17/2014)
12/17/2014	<a href="#">39</a>	<del>NOTICE of Motion by Maisha N. Shaw for presentment of motion to withdraw as attorney <a href="#">38</a> before Honorable John Z. Lee on 12/23/2014 at 09:00 AM. (Shaw, Maisha)</del> (Entered: 12/17/2014)
12/18/2014	<a href="#">40</a>	MINUTE entry before the Honorable John Z. Lee:Defendants' motion to withdraw Maisha N. Shaw's <a href="#">38</a> is granted. No appearance is required on the motion.Mailed notice (ca, ) (Entered: 12/18/2014)
12/23/2014	<a href="#">43</a>	PLAINTIFF'S Response by Plaintiff Simeon Lewis to Defendant's Motion to Dismiss Plaintiff's Complaint (jl, ) (Entered: 12/29/2014)



12/29/2014	<a href="#">41</a>	<del>NOTICE of Correction regarding document <a href="#">2</a> . (tlm) (Entered: 12/29/2014)</del>
12/29/2014	<a href="#">42</a>	MINUTE entry before the Honorable John Z. Lee:Because no objection has been filed regarding Magistrate Judge Sheila Finnegan's 12/12/14 Report & Recommendation <a href="#">36</a> , the Court hereby adopts the Order in full. Mailed notice (air, ) (Entered: 12/29/2014)
12/29/2014	<a href="#">44</a>	OBJECTION by Plaintiff Simeon Lewis (jl, ) (Entered: 12/31/2014)
12/31/2014	<a href="#">45</a>	MINUTE entry before the Honorable John Z. Lee: Subsequent to the docketing of the Report and Recommendation <a href="#">36</a> , the Chief Judge closed the Court for the holidays on 12/26/14. Consequently, Plaintiff was unable to file his objections with the Clerk's office by his deadline to do so. Because the Clerk's office was inaccessible, Plaintiff had until 12/29/14 to file his objections. See Fed. R. Civ. P. 6(a)(3)(A). His objections therefore are timely and will be considered by the Court. Docket Entry <a href="#">42</a> was thus entered in error. Mailed notice (air, ) (Entered: 12/31/2014)
01/02/2015	<a href="#">46</a>	MOTION by Defendant BNSF Rail Way Company for extension of time to file response/reply <i>in support of Defendants' Motion to Dismiss</i> (Getchell, Cherie) (Entered: 01/02/2015)
01/02/2015	<a href="#">47</a>	<del>NOTICE of Motion by Cherie K. Getchell for presentment of motion for extension of time to file response/reply <a href="#">46</a> before Honorable Sheila M. Finnegan on 1/8/2015 at 09:15 AM. (Getchell, Cherie) (Entered: 01/02/2015)</del>
01/05/2015	<a href="#">48</a>	MINUTE entry before the Honorable Sheila Finnegan: Defendants' motion for extension of time <a href="#">46</a> is granted. Defendants' reply brief in support of their motion to dismiss plaintiff's complaint <a href="#">26</a> due by 1/16/2015. Motion hearing set for 1/8/2015 is cancelled. Mailed notice. (is, ) (Entered: 01/05/2015)
01/05/2015	<a href="#">49</a>	MOTION by Plaintiff Simeon Lewis to strike Defendant's request for extension of time. (ym, ) (Entered: 01/07/2015)
01/05/2015	<a href="#">50</a>	<del>NOTICE of Motion by Simeon Lewis for presentment of motion to strike <a href="#">49</a> before Honorable Sheila M. Finnegan on 1/7/2015 at 09:15 AM. (ym, ) (Entered: 01/07/2015)</del>
01/09/2015	<a href="#">51</a>	MINUTE entry before the Honorable Sheila Finnegan: Plaintiff's motion to strike defendant's request for extension of time <a href="#">49</a> is denied. Mailed notice. (is, ) (Entered: 01/09/2015)
01/09/2015	<a href="#">52</a>	OBJECTIONS by Simeon Lewis to orders <a href="#">48</a> , <a href="#">42</a> . (tlm) (Entered: 01/13/2015)
01/16/2015	<a href="#">53</a>	REPLY by BNSF Rail Way Company to Response <a href="#">43</a> <i>to Motion to Dismiss</i> (Goble, Raymond) (Entered: 01/16/2015)
01/16/2015	<a href="#">54</a>	<del>CERTIFICATE of Service to <i>Defendants' Reply in Support of Their Motion to Dismiss Plaintiff's Complaint</i> by Raymond Hugo Goble, III on behalf of</del>

		All Defendants regarding reply to response to motion <a href="#">53</a> (Grobble, Raymond) (Entered: 01/16/2015)
01/27/2015	<a href="#">58</a>	RESPONSE by plaintiff to defendant's motion to dismiss plaintiff's complaint(tlm) Modified on 1/30/2015 (tlm). (Text Modified on 4/22/2015) (gcy, ). (Entered: 01/30/2015)
01/28/2015	<a href="#">55</a>	MOTION by counsel for Defendant BNSF Rail Way Company to withdraw as attorney (Getchell, Cherie) (Entered: 01/28/2015)
01/28/2015	<a href="#">56</a>	<del>NOTICE of Motion by Cherie K. Getchell for presentment of motion to withdraw as attorney <a href="#">55</a> before Honorable John Z. Lee on 2/3/2015 at 09:30 AM. (Getchell, Cherie) (Entered: 01/28/2015)</del>
01/30/2015	<a href="#">57</a>	MINUTE entry before the Honorable John Z. Lee: Defendants' motion to withdraw Cherie K. Getchell's appearance <a href="#">55</a> is granted. No appearance is required 2/3/15. Mailed notice (ca, ) (Entered: 01/30/2015)
01/30/2015	<a href="#">59</a>	<del>NOTICE of Correction regarding document <a href="#">58</a> . (tlm,) (Entered: 01/30/2015)</del>
02/03/2015	<a href="#">60</a>	REPORT AND RECOMMENDATION regarding Defendants' Motion to Dismiss Plaintiff's Complaint <a href="#">26</a> Signed by the Honorable Sheila Finnegan on 2/3/2015: Pursuant to Fed. R. Civ. P. 72(b)(2), specific written objections to this Report and Recommendation may be served and filed within fourteen (14) days from the date that this order is served. Failure to file objections with the Honorable John Z. Lee within the specified time will result in a waiver of the right to appeal all findings, factual and legal, made by this Court in the Report and Recommendation. Objections to R&R due by 2/17/2015. [For further details see report and recommendation]. Mailed notice. (is, ) (Entered: 02/03/2015)
02/03/2015	<a href="#">61</a>	MINUTE entry before the Honorable Sheila Finnegan: The referral is closed and the case is returned to the district judge for further proceedings. Honorable Sheila Finnegan no longer referred to the case. Mailed notice. (is, ) (Entered: 02/03/2015)
02/17/2015	<a href="#">62</a>	OBJECTIONS by Plaintiff Simeon Lewis to REPORT AND RECOMMENDATIONS (Exhibits). <a href="#">60</a> (tlm) (Entered: 02/18/2015)
02/19/2015	<a href="#">63</a>	MINUTE entry before the Honorable John Z. Lee: Defendant's reply to plaintiff's objection to the report and recommendation <a href="#">62</a> if any is due by 3/5/15; Plaintiff's response if any is due by 3/19/15. Mailed notice (ca, ) (Entered: 02/19/2015)
03/03/2015	<a href="#">64</a>	RESPONSE by Defendant BNSF Rail Way Company to objections <a href="#">62</a> to <i>Magistrate Judge's Report and Recommendation</i> (Adams, Heather) (Entered: 03/03/2015)
03/03/2015	<a href="#">65</a>	CERTIFICATE of Service by Heather Renee Adams on behalf of BNSF Rail Way Company regarding Response <a href="#">64</a> (Adams, Heather) (Entered: 03/03/2015)

		03/03/2015)
03/19/2015 Flash Drive	<a href="#">66</a>	TRANSCRIPT OF PROCEEDINGS held on 10-1-14 before the Honorable Sheila M. Finnegan. Court Reporter Contact Information: Pamela S. Warren, <a href="https://www.ilnd.uscourts.gov/home/Transcript-Order-Form.aspx">https://www.ilnd.uscourts.gov/home/Transcript-Order-Form.aspx</a> . <P>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at <a href="http://www.ilnd.uscourts.gov">www.ilnd.uscourts.gov</a> under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</P> Redaction Request due 4/9/2015. Redacted Transcript Deadline set for 4/20/2015. Release of Transcript Restriction set for 6/17/2015. (Warren, Pamela) (Entered: 03/19/2015)
03/19/2015	<a href="#">67</a>	<del>ATTORNEY Appearance for Defendant BNSF Rail Way Company by Heather Renee Adams (Adams, Heather) (Entered: 03/19/2015)</del>
03/19/2015	<a href="#">68</a>	REPLY by Plaintiff Simeon Lewis to Defendant's Response in opposition to objections to Magistrate Judge's Report and Recommendation <a href="#">64</a> . (tlm) (Entered: 03/23/2015)
06/30/2015	<a href="#">69</a>	MINUTE entry before the Honorable John Z. Lee:This case is referred to Magistrate Judge Finnegan for general discovery supervision. Mailed notice (ca, ) (Entered: 06/30/2015)
06/30/2015	<a href="#">70</a>	Pursuant to Local Rule 72.1, this case is hereby referred to the calendar of Honorable Sheila M. Finnegan for the purpose of holding proceedings related to: General discovery supervision.(ca, )Mailed notice. (Entered: 06/30/2015)
07/14/2015	<a href="#">71</a>	EMERGENCY MOTION by Plaintiff Simeon Lewis for preliminary injunction (cc, ) (Entered: 07/15/2015)
07/14/2015	<a href="#">72</a>	<del>NOTICE of Motion by Simeon Lewis for presentment of motion for emergency preliminary injunction <a href="#">71</a> before Honorable John Z. Lee on 7/16/2015 at 02:00 PM. (cc, ) (Entered: 07/15/2015)</del>
07/15/2015	<a href="#">73</a>	EXECUTIVE COMMITTEE ORDER:Case referred to the Honorable Sheila M. Finnegan for motion # <a href="#">71</a> . Signed by Executive Committee on 7/15/2015.(cc, ) (Entered: 07/16/2015)
07/15/2015		<del>(Court only) MOTIONS REFERRED: MOTION by Plaintiff Simeon Lewis for preliminary injunction <a href="#">71</a> (cc, ) (Entered: 07/16/2015)</del>
07/16/2015	<a href="#">74</a>	MINUTE entry before the Honorable John Z. Lee: Plaintiff has filed an emergency motion for a preliminary injunction <a href="#">71</a> . Because Judge Lee is not hearing motions through July 22nd, Plaintiff is directed to contact the emergency judge on duty if Plaintiff still wishes to proceed on an

		emergency basis. Notices mailed by Judicial Staff. (psm, ) (Entered: 07/16/2015)
07/16/2015	<a href="#">75</a>	MINUTE entry before the Honorable Sheila M. Finnegan: Motion Hearing held on 7/16/2015. Defendant's response with attachment of the notices of levy to Plaintiff's emergency preliminary injunction <a href="#">71</a> to be filed by 7/30/2015. Plaintiff's reply due by 8/13/2015. Mailed notice. (is, ) (Entered: 07/17/2015)
07/20/2015	<a href="#">76</a>	MOTION by Plaintiff Simeon Lewis to strike order. (cc, ) (Entered: 07/21/2015)
07/20/2015	<a href="#">77</a>	MOTION by Plaintiff Simeon Lewis for clarification (cc, ) (Entered: 07/21/2015)
07/20/2015	<a href="#">78</a>	NOTICE of Motion by Simeon Lewis for presentment of motion to clarify <a href="#">77</a> , motion to strike <a href="#">76</a> before Honorable John Z. Lee on 7/23/2015 at 09:00 AM. (cc, ) (Entered: 07/21/2015)
07/23/2015	<a href="#">79</a>	MINUTE entry before the Honorable John Z. Lee: Motion hearing held on 7/23/15. Plaintiffs motion to strike order <a href="#">76</a> and motion for clarification <a href="#">77</a> is entered; any briefing is stayed. This case is stayed until the Court issues its ruling on the pending reports and recommendations. Mailed notice (ca, ) (Entered: 07/23/2015)
08/17/2015	<a href="#">80</a>	MINUTE entry before the Honorable John Z. Lee: The Court adopts in full Judge Finnegan's Report and Recommendation <a href="#">36</a> on Plaintiff's motions for preliminary injunction <a href="#">6</a> <a href="#">8</a> . Plaintiff's motions are denied. The Court also adopts in full Judge Finnegan's Report and Recommendation <a href="#">60</a> on Defendants motion to dismiss <a href="#">26</a> . The motion to dismiss is granted. Counts I, II, and IV are dismissed with prejudice. Count III is dismissed for lack of jurisdiction. All other pending motions <a href="#">71</a> <a href="#">76</a> <a href="#">77</a> are denied as moot. Civil case terminated. [For further details see memorandum opinion and order.] Mailed notice (ca, ) (Entered: 08/17/2015)
08/17/2015	<a href="#">81</a>	MEMORANDUM Opinion and Order Signed by the Honorable John Z. Lee on 8/17/15 Mailed notice (ca, ). (Entered: 08/17/2015)
08/17/2015	<a href="#">82</a>	MINUTE entry before the Honorable Sheila M. Finnegan: The referral is closed since the case has been terminated. Honorable Sheila M. Finnegan no longer referred to the case. Mailed notice. (is, ) (Entered: 08/17/2015)
08/17/2015	<a href="#">83</a>	ENTERED JUDGMENT Signed by the Courtroom deputy on 8/17/15 Mailed notice (ca, ). (Entered: 08/17/2015)
08/27/2015 Flash Drive	<a href="#">84</a>	TRANSCRIPT OF PROCEEDINGS held on 7/23/2015 before the Honorable John Z. Lee. Court Reporter Contact Information: ALEXANDRA ROTH, alexandra_roth@ilnd.uscourts.gov (312) 408-5038.  IMPORTANT: The transcript may be viewed at the court's public terminal

		<p>or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at <a href="http://www.ilnd.uscourts.gov">www.ilnd.uscourts.gov</a> under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 9/17/2015. Redacted Transcript Deadline set for 9/28/2015. Release of Transcript Restriction set for 11/25/2015. (Roth, Alexandra) (Entered: 08/27/2015)</p>
08/31/2015	<a href="#">85</a>	MOTION by Plaintiff Simeon Lewis to reconsider Judges order with objections. (Exhibits) (lk, ) (Entered: 09/01/2015)
08/31/2015	<a href="#">86</a>	<del>NOTICE of Motion by Simeon Lewis for presentment of motion to reconsider Judges order <a href="#">85</a> before Honorable John Z. Lee on 9/10/2015 at 09:00 AM. (lk, ) (Entered: 09/01/2015)</del>
09/04/2015	<a href="#">87</a>	MINUTE entry before the Honorable John Z. Lee:Defendant's response to plaintiff's motion to reconsider judges order with objections <a href="#">85</a> is due by 9/16/15; ruling will be by mail. No appearance is required on 9/10/15.Mailed notice (ca, ) (Entered: 09/04/2015)
09/14/2015	<a href="#">88</a>	<del>ATTORNEY Appearance for Plaintiff Simeon Lewis by Alia Miriam Horwick (Horwick, Alia) (Entered: 09/14/2015)</del>
09/14/2015	<a href="#">89</a>	MOTION by Plaintiff Simeon Lewis for preliminary injunction (Attachments: # <a href="#">1</a> Exhibit)(Horwick, Alia) (Entered: 09/14/2015)
09/16/2015	<a href="#">90</a>	RESPONSE by BNSF Rail Way Company to MOTION by Plaintiff Simeon Lewis for reconsideration <a href="#">85</a> (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Exhibit, # <a href="#">3</a> Exhibit)(Adams, Heather) (Entered: 09/16/2015)
09/16/2015	<a href="#">91</a>	<del>NOTICE by BNSF Rail Way Company re response to motion <a href="#">90</a> (Adams, Heather) (Entered: 09/16/2015)</del>
09/21/2015	<a href="#">92</a>	MINUTE entry before the Honorable John Z. Lee: The Court strikes without prejudice Plaintiff's motion for preliminary injunction <a href="#">89</a> . This case is closed. Whether a motion for preliminary injunction may be properly considered depends on the Court's ruling on Plaintiff's motion to reconsider <a href="#">85</a> .Mailed notice (ca, ) (Entered: 09/21/2015)
09/22/2015	<a href="#">93</a>	MOTION by Plaintiff Simeon Lewis for preliminary injunction (Horwick, Alia) (Entered: 09/22/2015)
09/22/2015	<a href="#">94</a>	<del>NOTICE of Motion by Alia Miriam Horwick for presentment of (Horwick, Alia) (Entered: 09/22/2015)</del>
09/23/2015	<a href="#">95</a>	MINUTE entry before the Honorable John Z. Lee: The Court strikes without prejudice Plaintiff's motion for preliminary injunction <a href="#">93</a> . This case is closed. Whether a motion for preliminary injunction may be properly considered depends on the Court's ruling on Plaintiff's motion to

		reconsider <a href="#">85</a> . Mailed notice (ca, ) (Entered: 09/23/2015)
11/23/2015	<a href="#">96</a>	MOTION by Plaintiff Simeon Lewis for decision (Exhibit) (sj, ) (Main Document 96 replaced on 11/25/2015) (sj, ). (Entered: 11/24/2015)
11/25/2015	<a href="#">97</a>	<del>NOTICE of Correction regarding MOTION by Plaintiff Simeon Lewis for order <a href="#">96</a> (sj, ) (Entered: 11/25/2015)</del>
12/23/2015	<a href="#">98</a>	MOTION by Plaintiff Simeon Lewis; Emergency intervention requested(sj, ) (Entered: 12/28/2015)
02/10/2016	<a href="#">99</a>	ORDER: Plaintiff Simeon Lewis, also known as Simeon Washa Amen Ra Ex, moves the Court to reconsider its Memorandum Opinion and Order in which it adopted in full Magistrate Judge Sheila Finnegan's Report and Recommendations that denied Plaintiff's motion for preliminary injunction (R&R I) and granted Defendants motion to dismiss (R&R II). The Court dismissed Counts I, II, and IV with prejudice and dismissed Count III without prejudice for lack of jurisdiction. For the reasons provided herein, Plaintiff's motion for reconsideration <a href="#">85</a> is denied. Plaintiff's motion for decision is stricken as moot <a href="#">96</a> . Plaintiff's motion for emergency intervention is stricken as moot and for failure to file a notice of motion <a href="#">98</a> . This case remains closed. Signed by the Honorable John Z. Lee on 2/10/16. [For further details see order.]Mailed notice(ca, ) (Entered: 02/10/2016)
02/10/2016	<a href="#">100</a>	NOTICE OF EMAIL NOTIFICATION FAILURE, for document # <a href="#">99</a> sent to Attorney Alia Miriam Horwick returned as: Unknown Address Error. Mailed to attorney Alia Miriam Horwick a Letter re: bounce back email and a Notification of Change of Address form. Notices have been set to No. Counsel must email the Clerk's Office at Docketing_ILND@uscourts.gov when a Notification of Change of Address has been filed to ensure electronic notification is reset. (ek, ) (Entered: 02/11/2016)
02/29/2016	<a href="#">101</a>	NOTICE of appeal by Simeon Lewis regarding orders <a href="#">81</a> , <a href="#">99</a> , <a href="#">83</a> , <a href="#">80</a> (FEE DUE) (ek, ) (Entered: 03/01/2016)
03/01/2016	<a href="#">102</a>	NOTICE of Appeal Due letter sent to counsel of record regarding notice of appeal <a href="#">101</a> (ek, ) (Entered: 03/01/2016)
03/01/2016	<a href="#">103</a>	TRANSMITTED to the 7th Circuit the short record on notice of appeal <a href="#">101</a> . Notified counsel (ek, ) (Entered: 03/01/2016)
03/01/2016	<a href="#">104</a>	ACKNOWLEDGMENT of receipt of short record on appeal regarding notice of appeal <a href="#">101</a> ; USCA Case No. 16-1444. (tt, ) (Entered: 03/01/2016)
03/01/2016	<a href="#">105</a>	CIRCUIT Rule 3(b) Notice. (tt, ) (Entered: 03/01/2016)
03/10/2016	<a href="#">106</a>	AFFIDAVIT ACCOMPANYING MOTION by Plaintiff for permission to appeal in forma pauperis (Exhibits). (tt, ) (Entered: 03/11/2016)
03/28/2016	<a href="#">107</a>	MAIL RETURNED, for document # <a href="#">102</a> sent to Simeon Lewis returned as undeliverable, return to sender. No new contact information received; therefore future mailings will not be sent until a new address is provided to



		the Clerk's Office using a Notification of Change of Address or Pro Se Appearance form. (ph, ) (Entered: 03/29/2016)
04/08/2016	<a href="#">108</a>	MINUTE entry before the Honorable John Z. Lee: Motion for leave to appeal in forma pauperis <a href="#">106</a> is granted. Mailed notice (ca, ) (Entered: 04/08/2016)
04/08/2016	<a href="#">109</a>	<del>ORDER dated 4/8/2016 from the 7th Circuit regarding notice of appeal <a href="#">101</a>; Appellate case no.: 16-1444: IT IS ORDERED that briefing will proceed as follows: 1. The Appellant's brief of Simeon Lewis will be due by May 9, 2016 for 16-1444. 2. The Appellee's brief of BNSF Railway Company will be due by June 7, 2016 for 16-1444. 3. The Appellee's brief of Matthew Rose will be due by June 7, 2016 for 16-1444. 4. The Appellant's reply brief of Simeon Lewis, if any, will be due by June 21, 2016 for 16-1444. (tt, ) (Entered: 04/08/2016)</del>
04/08/2016	<a href="#">110</a>	<del>NOTICE to Transmit Record on Appeal regarding notice of appeal <a href="#">101</a>; USCA Case No. 16-1444. (tt, ) (Entered: 04/08/2016)</del>

### KEY

**A majority of all items are included in this record.**

**All crossed out items are not included in the record.**

**S/C: These item are sent under a separate certificate.**

**N/A: These items are not available.**